

## Article - Environment

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§4–704.

- (a) There is an Oil Contaminated Site Environmental Cleanup Fund.
- (b) Subject to subsection (c) of this section, the Fund shall be used to:
  - (1) Reimburse an owner or operator of:
    - (i) An underground oil storage tank subject to the requirements of § 4–409(b)(3) of this title for site rehabilitation costs incurred on or after October 1, 1993 resulting from contamination caused by releases from an underground oil storage tank;
    - (ii) An underground oil storage tank not subject to the requirements of § 4–409(b)(3) of this title for site rehabilitation costs incurred on or after October 1, 2000 resulting from contamination caused by releases from an underground oil storage tank; or
    - (iii) A heating oil tank for site rehabilitation costs incurred on or after October 1, 2000 resulting from contamination caused by releases from a heating oil tank including piping connected to the tank;
  - (2) Provide funds for site rehabilitation activities carried out by the Department or under the Department’s direction and control; and
  - (3) To the extent provided in the State budget and in an amount not to exceed 8% of the revenues in the Fund during the fiscal year, provide funds for the Department’s administration of this subtitle.
- (c) Twenty–five percent of the revenues credited to the Fund shall be used for reimbursement of heating oil tank site rehabilitation costs as provided in this subtitle.
- (d) The provisions of this subtitle do not apply to:
  - (1) An underground storage tank that is:
    - (i) Owned by a State, county, or municipal corporation; or
    - (ii) Owned by a local education agency.

(2) An underground storage tank installed pursuant to Subtitle I of the federal Resource Conservation and Recovery Act; or

(3) Owners or operators of underground storage tanks that were not in compliance with the requirements of Subtitle I of the federal Resource Conservation and Recovery Act on December 22, 1998.

(e) (1) Money in the Fund not required to meet the Department's obligations in the exercise of the Department's responsibility under this section:

(i) Shall be deposited with the State Treasurer to the credit of the Fund; and

(ii) May be invested as provided by law.

(2) Interest received on the investment of the excess funds shall be credited to the Fund for use for the purposes described in this subtitle.

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